

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 21, 1998

DIVISION ONE

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B114661 People (Not for Publication)
v.
Henriquez

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B109902 People v. Juge (Not for Publication)

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION ONE (Continued)

B118222 Stamberry (Not for Publication)

v.

Superior Court, Los Angeles County

(Jones, r.p.i.)

Filed an opinion and order granting peremptory writ of mandate.

Temporary stay terminated. All parties to bear their own costs.

DIVISION TWO

B106782 People (Not for Publication)

v.

Raul M.

The Court:

The order of wardship is reversed with directions to the juvenile court to dismiss the proceedings.

Fukuto, Acting P.J., Nott, J., Zebrowski, J.

B105523 People (Not for Publication)

v.

Martinez

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

B098107 People (Not for Publication)

v.

Aparicio

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Nott, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Aranda, J. (Assigned), and Valorie Gray, Deputy Clerk.

Each of the following:

B107733 Harbolt v. Rhone-Poulenc Rorer, Inc.
B108249 People v. Castillo
B105676 People v. James R.
B106808 People v. Hayes
B103542 People v. Sims
B108528 People v. Smith
B111473 County of Los Angeles v. William C.
B106114 People v. Ransom
B107713 People v. Bounpraseuth
B108137 People v. Truel
B106758 People v. McSherry

Argument waived, cause submitted.

B107524 People
 v.
 Rodney F.

Merits:
Argued by Maxine Weksler for appellant and by Mitchell Keiter, Deputy Attorney General for respondent. Cause submitted.

B088913 Smoot
 v.
 Cucci

Merits:
Argued by C. Timothy Smoot, in propria persona and by Sherri J. Hoffman for respondent. Cause submitted.

DIVISION THREE (Continued)

B104625 People
 v.
 Washington

Merits:

Argued by Marylou Hillberg for appellant and by Andrew D. Amerson,
Deputy Attorney General for respondent. Cause submitted.

B096442 Aghajanian
 v.
 Glendale Adventist, et al.

Merits:

Argued by Evan D. Marshall for appellant and by David Ozeran and James
J. Kjar for respondents. Cause submitted.

B108020 Torgan, et al.
 v.
 Nordblad & Schultz, Inc., et al.

Merits:

Argued by Steven G. Pearl for appellant and by Mark G. Intrieri for
respondent. Cause submitted.

B091436 Sadek
 v.
 Sorrento Biochemical, Inc., et al.

Merits:

Argued by James T. Spratt for appellant and by Mitchell C. Tilner, Edmund
G. Farrell and David P. Berglund for respondents. Cause submitted.

DIVISION THREE (Continued)

B101980 Wiesen
 v.
 Illinois Ins. Exchange, et al.

Merits:
Argued by Steven M. Rubenstein for appellant and by Jeff C. Katofsky and
David F. Peterson for respondents. Cause submitted.

Court recessed at 1:40 P.M.

The Court reconvened at 2:15 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Aranda, J. (Assigned), and
Valorie Gray, Deputy Clerk.

B101626 Fisher
 v.
 So. Coast Air Quality Management District

Merits:
Argued by Audrey Y. Ripley for appellant and by Gregory G. Kennedy for
respondent. Cause submitted.

B100207 Blair
 v.
 Statewide Auto Dismantling, et al.

Merits:
Argued by Neil C. Evans for appellant and by Steven C. Glickman for
respondent. Cause submitted.

DIVISION THREE (Continued)

B101560 Warfield
 v.
 UCLA Neuropsychiatric Hospital

Merits:
Argued by Timothy Bowles for appellant and by Carolyn Oill for
respondent. Cause submitted.

B104493 Lau
 v.
 Oi

Merits:
Argued by Hugh A. Lipton for appellant and by Celeste E. Kirk for
respondent. Cause submitted.

B110359 Square Investment Corporation
 v.
 Takeda, et al.

Merits:
Argued by Alfred E. Augustini for appellant and by Joel A. Feuer for
respondent. Counsel directed to file a motion with the court to consolidate
appeals and request matter be placed on July calendar. Submission
deferred.

B092167 Saakyan
 v.
 Modern Auto, Inc.

Merits:
Argued by Kent L. Richland for appellant and by Steven B. Stevens for
respondent. Cause submitted.

DIVISION THREE (Continued)

B104384 Murafetis
v.
Silva

Merits:

Argued by Steven B. Stevens for appellant and by Joseph R. Zamora for respondent. Cause submitted.

B109393 Williams
v.
Pro-Active Management, Inc.

Merits:

Argued by Michael G. Portner for appellant and by Mark Scott Bagula for respondent. Cause submitted.

B107483 Fenty
v.
Charles R. Drew University Of Medicine

Merits:

Argued by Ronald P. Kaplan for appellant and by Joseph H. Duff for respondent. Cause submitted.

Court adjourned at 5:15 P.M.

DIVISION FOUR

B114020 People (Not for Publication)
v.
Yanez

The judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B107125 People (Not for Publication)
v.
Teran

We direct the superior court to amend the abstract of judgment accordingly and to forward the corrected abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed.

Baron, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

DIVISION FIVE

B106371 People (Not for Publication)
v.
Anthony Vasquez and Michael Wilbert

The judgments are affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B112623 Maxine Dunitz, as Cotrustee (Not for Publication)
v.
Maxine Dunitz

The order is modified to vacate the bond requirement. As modified, the order is affirmed. Appellants are to bear their own costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION FIVE (Continued)

B100067 Margaret Ryan (Not for Publication)
 v.
 Compton Unified School District et al.

The judgment is affirmed. Respondents to recover their costs on appeal.

Jackson, J. (Assigned)

We concur: Grignon, Acting P.J.
 Armstrong, J.

B101323 Harmeet K. Ghuman (Not for Publication)
 v.
 Sudarshan Ghuman

The judgment is affirmed. Respondent to recover costs on appeal.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

B101550 Rajcoomar Gookooluk et al. (Not for Publication)
 v.
 Oscar Antonio Campos et al.

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

B110294 People
 v.
 David Thompson

Filed order denying petition for rehearing.

DIVISION FIVE (Continued)

B093671 Robert A. Eigenbrodt (Not for Publication)
 v.
 Mountain Park Estates

Filed order vacating submission and resubmitting matter this date.

B093671 Robert A. Eigenbrodt (Not for Publication)
 v.
 Mountain Park Estates

The judgment is affirmed. Defendants and cross-complainants, Mountain Park Estates Homeowners' Association, the individual homeowner defendants, Mountain Park Estates, Herman H. Rappaport, The Rappaport Company, David E. Kronemeyer, and Judith C. Gasson, are to recover their costs on appeal from plaintiff and cross-defendant, Robert A. Eigenbrodt.

Turner, P.J.

We concur: Grignon, J.
 Godoy Perez, J.

DIVISION SIX

B114600 People (Not for Publication)
 v.
 Henderson

The judgment is affirmed.

Yegan, J.

We concur: Stone, P.J.
 Coffee, J.

B101285 Lavi (Not for Publication)
 v.
 Northrop Corporation

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

January 21, 1998-Continued

DIVISION SIX (Continued)

B105675 Erlick, et al. (Certified for Partial Publication)
v.
Menezes
Rebaldo, et al.

The judgment is affirmed. Costs to respondents.

Stone, P.J.

I concur: Gilbert, J.
I dissent: Yegan, J.

B110243 People (Certified for Publication)
v.
Douglas

This appeal is dismissed.

Coffee, J.

I concur: Stone, P.J.
I dissent: Yegan, J. (Opinion)

B112571 Federal Insurance Co. (Certified for Publication)
v.
Ventura Cnty Superior Court
Mackey

Let a writ of mandate issue, directing respondent superior court to set aside its order dated May 19, 1997, in which it denied the motion for a stay and to enter a new order in conformance with the views expressed in this opinion. The alternative writ and temporary stay previously issued by this court, having served their purposes, are dissolved.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

January 21, 1998-Continued

DIVISION SIX (Continued)

B108228 Leroy Andrews Architects (Not for Publication)
 v.
 Knauss

The judgment is affirmed. LAA is awarded attorney's fees and costs on appeal.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

B111299 People (Certified for Publication)
 v.
 Pinedo

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, Acting P.J.
 Yegan, J.

DIVISION SEVEN

B1099865 Daley (Not for Publication)
 v.
 California Public Employees Retirement Assn.

The judgment is affirmed. Respondent to recover costs on appeal.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

January 21, 1998-Continued

DIVISION SEVEN (Continued)

B104653 Johnson (Not for Publication)
v.
State of California Youthful Offender Parole Board

The judgment is affirmed. Costs on appeal are awarded to respondents.

Woods, J.

We concur: Lillie, P.J.
Neal, J.

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The abstract of judgment is ordered corrected as follows: under "ENHANCEMENTS," the 12022(B) designation for "Yrs" shall state 1 (not 3); the total shall state 4 (not 6); the Total Term Imposed shall state 22 (not 24).

As corrected, the judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B111101 People (Not for Publication)
v.
Richard W., a minor

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

January 21, 1998-Continued

DIVISION SEVEN (Continued)

B109854 People (Not for Publication)
v.
Hammer et al.

The judgments are affirmed.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

B100076 People (Not for Publication)
v.
Gornick

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.

B109817 People (Certified for Publication)
v.
Franklin

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Neal, J.

January 21, 1998-Continued

DIVISION SEVEN (Continued)

B109471 People (Not for Publication)
v.
Allen

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Neal, J.

B103652 People (Certified for Publication)
v.
Prevost III, et al.

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Neal, J.

B104165 Tulley (Not for Publication)
v.
United Airlines et al.

The judgment is affirmed as to defendants Ryan and Malner. As to all other defendants, the judgment is reversed. Appellant is awarded her costs on appeal.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

January 21, 1998-Continued

DIVISION SEVEN (Continued)

B107441 Cook et al. (Not for Publication)

V.
Meserve, Mumper & Hughes

The judgment is affirmed. Respondents to recover their costs of appeal.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

B109277 Funderburk (Not for Publication)

v.
Wolfe, et al.

The judgment is affirmed. The Doctors are entitled to costs on appeal.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

B110682 People

v.
Murphy

Filed order granting petition for rehearing.